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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/802,578	03/17/2004	Atousa Soroushi	VP105	3485

20178   7590   10/20/2005

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EXAMINER
JANKUS, ALMIS R

ART UNIT	PAPER NUMBER
2672	

DATE MAILED: 10/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	10/802,578	SOROUSHI ET AL.
	Examiner	**Art Unit**	
	Almis R. Jankus	2672	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>17 March 2004</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-77</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-77</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>17 March 2004</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>12/13/04 3/17/04</u>.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   Claims 1-77 are presented for examination.

2.   The following is a quotation of the appropriate paragraphs of 35

U.S.C. 102 that form the basis for the rejections under this section made in this Office

action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3.   Claims 1-77 are rejected under 35 U.S.C. 102(e) as being anticipated by

Li.

With respect to claim 1, Li teaches the claimed storing the overlay image data in

a memory, at figure 1b item 102-6; fetching the overlay image data from the memory, at

paragraph 18; up-scaling the fetched overlay image data, at figure 2a with adding plural

tiles in the border; and combining the fetched, up-scaled overlay image data with the

main image data to form composite image data, at figure 2a and at paragraphs 17-18.

Claim 2 further requires down-scaling the overlay image data prior to said step of storing. Li teaches this at figure 3b item 24.

Claim 3 further requires the method of claim 1, where the up-scaled overlay image data and the main image data define corresponding overlay image pixels and main image pixels respectively, wherein said overlay image pixels are either transparent or opaque, and wherein said step of combining includes (a) selecting said overlay image pixels and not the corresponding said main image pixels where said overlay image pixels are opaque, and (b) selecting said main image pixels and not the corresponding said overlay image pixels where said overlay image pixels are transparent. Li teaches this at paragraph 22.

Claim 4 further requires resizing the main image data prior to said step of combining. Li teaches this at paragraph 19.

Claim 5 further requires converting the main image data from one color format to another color format prior to said step of combining. Li teaches this at the abstract.

Claim 6 further requires resizing the main image data prior to said step of combining. Li teaches this at paragraph 19.

Claim 7 further requires transmitting said composite image data to a display device. Li teaches this at paragraph 17.

Claim 8 further requires storing the transmitted said composite image data in a memory in said display device. Li teaches this at paragraph 17 with "By storing the input image with the added border in a file and then transferring the file appropriately, the image with the border can be rendered by being displayed on a monitor, stored for archival purposes ".

Claim 9 further requires transmitting said composite image data to a display device. Li teaches this at paragraph 17 with "By storing the input image with the added border in a file and then transferring the file appropriately, the image with the border can be rendered by being displayed on a monitor".

Claim 10 further requires storing the transmitted said composite image data in a memory in said display device. Li teaches this at paragraph 17 with "By storing the input image with the added border in a file and then transferring the file appropriately, the image with the border can be rendered by being displayed on a monitor, stored for archival purposes ".

Claims 11, 22, 33, 45 and 61 are similar to claim 1 and are rejected under similar rationale presented for the rejection of claim 1 for similar respective features.

Claim 12 further requires up-scaling the fetched overlay image data prior to said step of combining. Li teaches this at figure 2a with adding plural tiles in the border.

Claim 13 is similar to claim 2 and is rejected under similar rationale.

Claims 14, 23, 29, 35, 41, 46, 54, 63, and 71 are similar to claim 3 and are rejected under similar rationale presented for the rejection of claim 3 for similar respective features.

Claims 6, 15, 17, 24, 26, 30, 32, 36, 38, 42, 44, 47, 49, 55, 57, 64, 66, 72, 74 are similar to claim 4 and are rejected under similar rationale presented for the rejection of claim 4 for similar respective features.

Claims 16, 25, 31, 37, 43, 48, 56, 65, and 73 are similar to claim 5 and are rejected under similar rationale presented for the rejection of claim 5 for similar respective features.

Claims 9, 18, 20, 27, 28, 39, 40, 50, 52, 67, 69 are similar to claim 7 and are rejected under similar rationale presented for the rejection of claim 7 for similar respective features.

Claims 10, 19, 21, 51, 53, 68, 70 are similar to claim 8 and are rejected under similar rationale presented for the rejection of claim 8 for similar respective features.

Claims 34 and 62 are similar to claim 12 and are rejected under similar rationale presented for the rejection of claim 12 for similar respective features.

Claims 58 and 75 require said source of main image data includes a camera. Li teaches this at figure 1a item 120.

Claims 59 and 76 require said source of main image data includes a host CPU. Li teaches this at figure 1a item 126.

Claims 60 and 77 further require said host CPU is adapted to down-scale the overlay image data provided to said memory. Li teaches this at figure 3b item 24.

4.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5.   Claims 14, 33-44, 61-77 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 14, at line 1, "the up-scaled overlay image data" lacks antecedent basis.

In claim 33, at line 9, "up-scaled overlay image data" lacks antecedent basis.

In claim 61, at line 10, "up-scaled overlay image data" lacks antecedent basis.

Claims 34-44, 62-77 are rejected based on dependence from the above rejected

claims.

6.   Any inquiry concerning this communication or earlier communications from

the examiner should be directed to Almis R. Jankus whose telephone number is 571-

272-7643. The examiner can normally be reached on M-F, 6:30-3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Michael Razavi can be reached on 571-272-7664. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

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For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

AJ

ALMIS R. JANKUS
PRIMARY EXAMINER